

Letter Motion – Protective Order  
October 12, 2018

**EXHIBIT B**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

STEVEN B. BARGER,

Plaintiff,

v.

FIRST DATA CORPORATION, et al.,

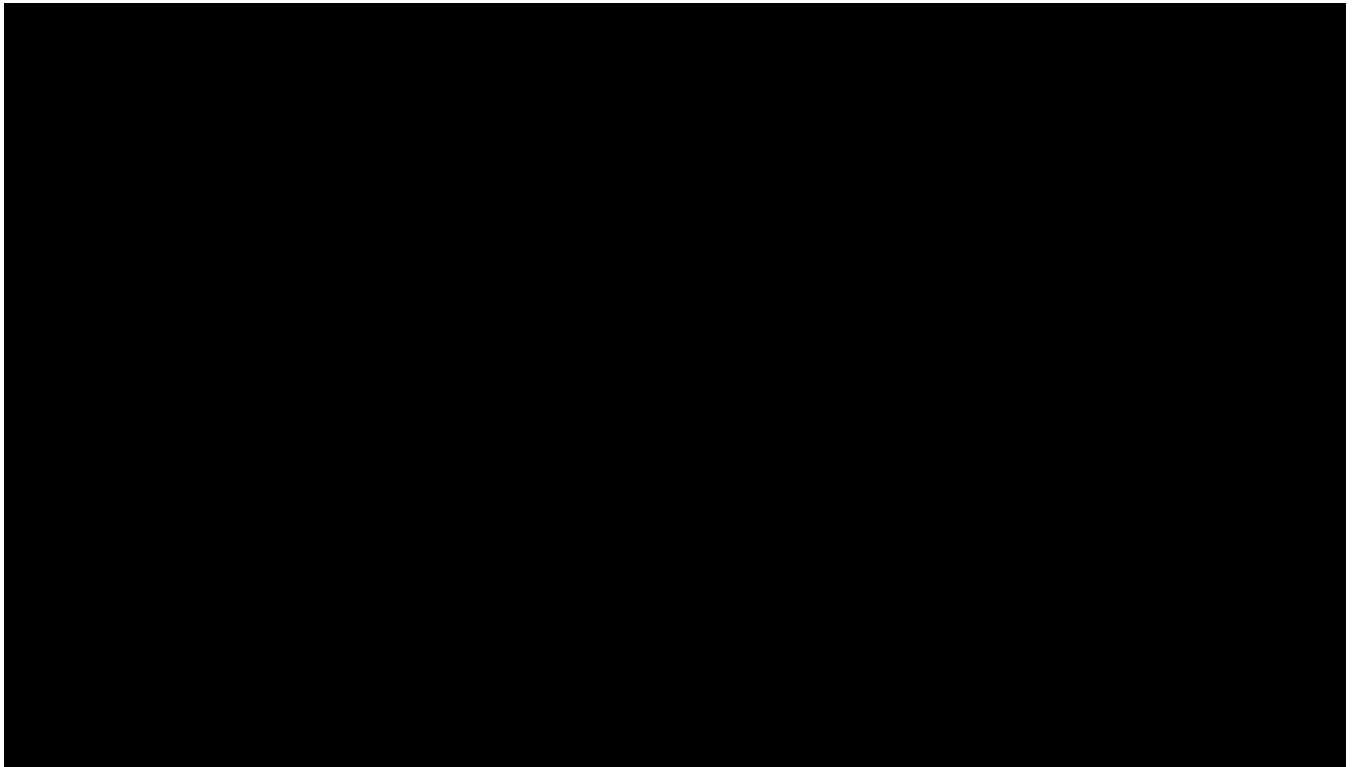
Defendants.


Civil Action No. 1:17-cv-4869-FB-LB

**DEFENDANT FIRST DATA'S  
RESPONSES AND OBJECTIONS TO  
PLAINTIFF'S FOURTH SET OF  
REQUESTS FOR PRODUCTION OF  
DOCUMENTS**

Pursuant to Rule 34 of the Federal Rules of Civil Procedure and the Local Rules of this District, Defendant First Data Corporation ("First Data"), by and through its undersigned attorneys, hereby responds to the Fourth Set of Requests for Production of Documents propounded by Plaintiff Steven B. Barger ("Plaintiff" or "Barger") as follows:

**GENERAL OBJECTIONS**





**Document Request No. 12:** Produce all documents, communications, and ESI sent by First Data or on First Data's behalf, from January 5, 2017 to present, to any former employees, independent contractors, or agents of First Data seeking information you claim is related to the Complaint, the Supplemental Complaint, First Data's Answer to the Complaint, First Data's Answer to the Supplemental Complaint, or Plaintiff Barger generally.

**Response to Request No. 12:** Subject to the general objections and without waiver, Defendant has already produced the subpoena served on its former employee Julie Kelly. Defendant is producing, and will produce relevant, responsive, non-privileged, and non-attorney work-product documents to the extent they exist and are in Defendant's possession.

**Document Request No. 13:** Produce all documents, communications, and ESI received by First Data or on First Data's behalf, from January 5, 2017 to present, from any former employees, independent contractors, or agents of First Data seeking information you claim is related to the Complaint, the Supplemental Complaint, First Data's Answer to the Complaint, First Data's Answer to the Supplemental Complaint, or Plaintiff Barger generally.

**Response to Request No 13:** Defendant incorporates by reference its Response to Request No. 12. By way of further response, Plaintiff also has produced text messages between

Plaintiff and Joe Plumeri. By way of further response, Defendant refers Plaintiff to documents bated numbered as MetLife0001-348.

**Document Request No. 14:** Produce all documents, communications, and ESI sent by First Data or on First Data's behalf, from January 5, 2017 to present, to any persons identified on Plaintiff's Initial Disclosures or Supplemental Initial Disclosures seeking information you claim is related to the Complaint, the Supplemental Complaint, First Data's Answer to the Complaint, First Data's Answer to the Supplemental Complaint, or Plaintiff Barger generally.

**Response to Request No. 14:** Defendant incorporates by reference its Response to Request No. 13.

**Document Request No. 15:** Produce all documents, communications, and ESI received by First Data or on First Data's behalf, from January 5, 2017 to present, to any persons identified on Plaintiffs Initial Disclosures or Supplemental Initial Disclosures seeking information you claim is related to the Complaint, the Supplemental Complaint, First Data's Answer to the Complaint, First Data's Answer to the Supplemental Complaint, or Plaintiff Barger generally.

**Response to Request No. 15:** Defendant incorporates by reference its Response to Request No. 13. By way of further response, Defendant refers Plaintiff to documents bated numbered as MetroDerm000001-33; Emory0001-102; MetLife0001-348; and Moffitt0001-1453.

As To Objections,

**SAUL EWING ARNSTEIN & LEHR LLP**  
*A Delaware LLP*

/s/ Gary B. Eidelman

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(admitted *pro hac vice*)

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*Attorneys for Defendants*

Dated: June 5, 2018